IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 1046 OF 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the Civil Judge ?

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KODARJI KACHHARAJI THAKORE & ANR. - Petitioner(s)
Versus
STATE OF GUJARAT & ANR. - Respondent(s)

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Appearance :
Shri P. H. Pathak for Petitioner(s) : 1 - 2.
Ms. Manisha Lavkumar, Assistant Government Pleader for Respondents.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 01/08/2007

ORAL JUDGMENT

The petitioners have come to this Court with a submission that the petitioners were selected and were given appointments to the

post of peon. During the session of the Legislative Assembly, they were appointed, but, on the last occasion, ignoring their claim, relations of the employees working under respondent No.2 were appointed as employees/peons. They have prayed for their appointments in place of such persons. Unfortunately, all the persons, who were later on engaged as peons, are not joined as respondents, nor names of the employees working under respondent No.2 have been given to show that they had a hand in polluting the selection process. In absence of necessary parties, no relief can be granted to the petitioners. The petition is dismissed. Rule is discharged. Interim relief, if any, is vacated. No costs.

[R.S.Garg, J.]

*kamlesh**